

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

DAVID IVEY,	)	
	)	
Petitioner,	)	4:07CV3242
	)	
V.	)	
	)	
WILLIAM R. GIBSON, et. al.	)	MEMORANDUM AND ORDER
	)	
Respondents.	)	
	)	

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The plaintiff, acting by and through his court-appointed counsel, has moved for leave to file an amended petition for writ of habeas corpus. Filing 11. The plaintiff has not previously filed an amended petition, and the defendants have not been served and have not filed a responsive pleading.

IT THEREFORE HEREBY IS ORDERED:

1. Pursuant to Rule 15(a)(1)(A) of the Federal Rules of Civil Procedure, the petitioner's motion to file an amended petition for writ of habeas corpus, filing 11, is granted.
2. On or before March 4, 2008, the petitioner shall file his amended petition for writ of habeas corpus, a copy of which is attached to his filing 11 motion.

DATED this 25<sup>th</sup> day of February, 2008.

BY THE COURT:

S/ *David L. Piester*

David L. Piester  
United States Magistrate Judge